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26 November 1996

ORIGINAL: ENGLISH

# LETTER DATED 26 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Azerbaijani Republic, as received by fax, issued on 24 November 1996 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Eldar KOULIEV
Permanent Representative

96-33906 (E) 261196 261196

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Annex

[Original: Russian]

STATEMENT BY THE MINISTRY OF FOREIGN AFFAIRS
OF THE AZERBAIJANI REPUBLIC

On 24 November 1996, illegal so-called "presidential elections" were organized by the Republic of Armenia in the Nagorny Karabakh region of the Azerbaijani Republic, which it occupies.

In this connection, the Ministry of Foreign Affairs of the Azerbaijani Republic considers it necessary to make the following statement:

The attempts to hold illegal "elections" constitute a flagrant violation of the sovereignty of the Azerbaijani Republic, its Constitution and laws, and a glaring breach of the Charter of the United Nations, the imperative principles of international law and the principles of the Organization for Security and Cooperation in Europe (OSCE), and are aimed at the annexation of part of the territory of Azerbaijan, seized as a result of aggression by the Republic of Armenia against the Azerbaijani Republic.

The responsibility for the consequences of this infringement of international law lies squarely with the Republic of Armenia, which incited this unlawful act.

The actions of those who initiated these illegal "elections" have met with immediate and unanimous censure on the part of the international community. The Ministries of Foreign Affairs of the United States of America, Turkey, the Russian Federation, France, the Islamic Republic of Iran and a number of other countries have already made statements denouncing the illegal "elections".

Condemnation of the holding of illegal "elections" in the Nagorny Karabakh region of the Azerbaijani Republic, occupied by the Republic of Armenia, has been expressed by such an authoritative international organization as the European Union in a statement to that effect by its current president, Ireland, on behalf of its 15 member States, namely the United Kingdom, France, Germany, Italy, Spain, Portugal, Greece, Austria, Finland, Sweden, Denmark, Belgium, the Netherlands and Luxembourg.

The president of the Parliamentary Assembly of the OSCE, Mr. J. Ruperes, has also condemned this unlawful act on behalf of his organization.

The Co-Chairmen of the OSCE Minsk Group, the Russian Federation and Finland, have expressed opposition to the holding of illegal "elections" on behalf of the member countries of the Group, namely the United States, the Russian Federation, Germany, Turkey, France, Italy, Sweden and Belarus, and on behalf of Switzerland as the country currently occupying the presidency of the OSCE.

The international community, consisting of prominent States and authoritative international organizations, has recognized clearly and unequivocally the sovereignty and territorial integrity of the Azerbaijani Republic and the inadmissibility of the use of force to alter its internationally recognized borders. The statements by the Ministries of Foreign Affairs of the aforementioned countries and by international organizations emphasize that the holding of illegal "elections" in the Nagorny Karabakh region of Azerbaijan will adversely affect the already difficult negotiating process and complicate the situation in the region on the eve of the OSCE Lisbon summit.

The illegal "elections" held on 24 November provoked particularly sharp condemnation from the 50,000 Azerbaijanis who were forcibly uprooted by the armed forces of the Republic of Armenia from their age-old places of residence in the Nagorny Karabakh region of the Azerbaijani Republic.

It is quite obvious that the so-called "elections" of 24 November, like the other unlawful actions, have not bestowed legitimacy upon the puppet entity and cannot shake the view held by the international community concerning its illegality, or concerning the illegality of the so-called "elections" conducted there.

On the basis of the foregoing, the Ministry of Foreign Affairs of the Azerbaijani Republic considers that the illegal "elections" of 24 November 1996, instigated by the Republic of Armenia in the Nagorny Karabakh region of Azerbaijan, occupied as it is by the armed forces of the Republic of Armenia, do not have and cannot have any juridical force or legal consequences.

This unlawful act constitutes an attempt to exacerbate the situation in the region and to complicate the negotiations for a settlement of the Armenian-Azerbaijani conflict within the framework of the OSCE Minsk Group.

The Azerbaijani Republic, in considering the unlawful "elections" to be an act in defiance of the world community and of international public opinion, and a threat to the international legal order, is firmly resolved to uphold its territorial integrity and the inviolability of its citizens and to restore sovereignty over its entire territory.

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GENERAL ASSEMBLY
Fifty-first session
Agenda item 58
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 22 November 1996 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter dated 21 November 1996, addressed to you by His Excellency Mr. Osman Ertuğ, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex, which contains a letter of His Excellency Mr. Rauf R. Denktaş, President of the Turkish Republic of Northern Cyprus, dated 12 November 1996, sent to Mr. Glafcos Clerides, the leader of the Greek Cypriot Community, could be circulated as a document of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

96-34036 (E) 051296

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ANNEX

Letter dated 21 November 1996 from Mr. Osman Ertuğ
addressed to the Secretary-General

I have the honour to enclose herewith the text of a letter dated 12 November 1996 addressed by His Excellency Mr. Rauf Denktaş, President of the Turkish Republic of Northern Cyprus, to Mr. Glafcos Clerides, the leader of the Greek Cypriot community (see appendix), in response to a letter from Mr. Clerides dated 22 October 1996.

I shall be grateful if the text of the present letter and its appendix could be circulated as a document of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

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APPENDIX

Letter dated 12 November 1996 from Mr. Rauf Denktaş addressed to Mr. Glafcos Clerides

Since we cannot meet, owing to your insistence that we do not yet have "common ground" for agreement, I suggest that we use this remaining channel for dialogue more responsibly and constructively.

In this spirit, please allow me to touch briefly upon a few points that you raised in your letter of 22 October 1996 before I move to a few constructive suggestions that may help us in reversing the cycle of escalation on the island that, I believe, is damaging the vital interests of both our communities.

## A. The death of Petros Kakoullis

I have delayed answering your letter of 22 October until today in the expectation of a full report on the death of Petros Kakoullis, in view of your serious accusation that "a local family man who was out, in the fields after rain collecting snails and who was shot three times by Turkish soldiers, the last shot was fired at him while lying on the ground mortally wounded".

Your conclusion that "the Turkish Cypriot leadership and the Turkish Government" issued orders "to shoot and kill Greek Cypriots who enter the buffer zone or the area under Turkish control" is of course a far-fetched propaganda ploy that does not merit serious consideration. As I pointed out to you in my letter of 22 September 1996, your Minister of Defence Mr. Aloneftis is on record as saying that it is your side that has such standing orders. I quote him again as a reminder: "The National Guard is under orders to fire at anyone who enters the buffer zone and this order is to be implemented at all times."

If no Turkish Cypriots have been killed recently by your side (except for the brutal murder - as confessed to by its "Commando" organizers on your side - of one of our soldiers and the wounding of another, not in the buffer zone but while at their post in Güvercinlik) it is because no Turkish Cypriot has trespassed into your military areas and tried to escape when asked to stop and identify himself. What is necessary is that both sides should help the United Nations Peacekeeping Force in Cyprus (UNFICYP) to arrange an agreed code of conduct and that your side's standing order to shoot to kill be rescinded forthwith. In this context we have already informed UNFICYP that we are eager to cooperate on unmanning, etc., knowing well that nothing of this nature would be needed if only your authorities stopped the provocative and disruptive demonstrations at our borders.

Now that I have received a full report from our authorities on the Kakoullis case, I should like to make the following observations and corrections on your presentation of facts:

1. Mr. Kakoullis apparently needed a commando strangulation chain and military dagger in order to collect snails! This "family man" was one of your

trusted "militia" who, back in 1963-1964, while in uniform, had taken part in the murder of several Turkish Cypriots. Photographs in Greek dailies project him as one of the "heroes" of the day, with his fellow colleagues, posing happily over the dead bodies of several Turkish Cypriots. That may be the reason why he did not stop to identify himself when asked to do so. The discovery on his person of instruments of murder coupled with his past "heroism" would have been extremely embarrassing for him!

2. I was sorry, but not surprised, to see that you followed the footsteps of your propagandists and thought fit to refer to the Turkish Cypriot soldiers involved in the shooting of Mr. Kakoullis as "Turkish soldiers", knowing well that Turkish soldiers were not involved in any of the cases which you have listed in your letter, let alone the Kakoullis case.

3. I have examined the post-mortem reports and had the pathologist on our side questioned again in order to find out whether your allegation that "Kakoullis was fired upon while lying on the ground mortally wounded" could be sustained. The post-mortem examination supports our soldiers' statement that Kakoullis was shot from quite a distance and that our soldiers could not approach him closely in view of a pool of mud between them.

In view of your side's reluctance to agree to cooperate with the Turkish Cypriot police and our Attorney-General in the north, big loopholes are left in all the investigations of incidents at the borders. I propose that we agree to cooperate directly on these matters under the auspices of United Nations officers. It should not be impossible to agree that in such events the police, on either side, should immediately take action jointly, exchanging information and evidence, giving each other the chance to be present at post-mortem examinations and having joint tests on ballistics, fingerprints etc., so that no room is left for any culprit to go free.

As this will be the procedure when it is hoped we will reach a settlement, I see no reason why we should not let our authorities start such cooperation from now. This would not in any way be an infringement on each other's political stand as it will be done "as a matter of intercommunal accord" and not as "an agreement between the two States". You will remember that I had called for a similar agreement on non-aggression several times, which, I still believe, would be a great contribution to lessening the tension on both sides. It must be clear to all of us who have lived in Cyprus since the 1960s that it is not possible to solve the Cyprus questions through the use of force and that the only way out is for both sides to agree to a modus vivendi of safe and secure coexistence, side by side, in a bicommunal and bizonal set-up, as agreed in 1977 and 1979.

B. <u>The need to look forward and to share sorrow</u>

The final paragraph of my letter of 22 September 1996 to you (A/51/500-S/1996/854, annex, appendix) read:

> "In the light of the above, and in view of the fact that, before too late, we have to reverse the present dangerous trend of escalation, please

let us know, openly and sincerely and as early as possible, how you see any future settlement so that we can evaluate our position correctly."

I was sorry to see no reference in your last letter to this forward-looking offer, which was more directed at pointing your finger at the Turkish side, forgetting that while doing so three of your fingers point at your good self.

I repeat, in all sincerity, that I regret and I feel very sorry (and I have made statements to this end on the radio and television and to the newspapers) each time young people have been killed on either side, contrary to your assertion that I have not done so. What is regrettable is the fact that the Greek Cypriot side refuses to recognize the reality that none of these would have happened had the Greek Cypriot leadership not set afoot, back in 1963, a plan of military action for (in your own words) "converting the partnership State into a Greek Cypriot State". That we have had this anomalous life for 33 years is owing to your insistence to impose upon your Turkish Cypriot co-founder partner of the defunct Republic of 1960, your political will from the seat of government in the south under a misnamed title called "the Government of Cyprus"! Since we are talking (or should be talking) of how to re-establish the destroyed partnership State (this time under the agreed terms of a bizonal settlement) - and in your letter under reference you quote your statement to the United Nations General Assembly confirming that you stand for such a settlement - I see no reason whatsoever why we should not be able to come to ad hoc arrangements on matters like unmanning: cooperation between our respective authorities on serious incidents involving both sides; an agreement to return immediately anyone who absconds to the other side; cooperation on pressing environmental planning and management issues; and the lifting of obstacles on business and sports between the two sides, all of which could be instrumental in reducing the tension on the island.

I am sure it is obvious to all persons living in the south that the economic, social and political isolation imposed upon us has been counter-productive as this treatment has helped us to get stronger on our feet and to find adequate alternatives for self-existence, all of which help to consolidate and give permanence to the division of the island. Your last attempt to enter the European Union unilaterally, in utter contravention and defiance of the rule of law will, of course, complete this cycle of events and will divide the island for good. There is no way of forcing us to enter into the European Union under your conditions. Cyprus has to reunite first, and for that to happen it is necessary that our vested rights as a politically equal partner, that our right in the sovereignty of Cyprus, and that the continuation of the 1960 guarantee system, be recognized.

C. Greek Cypriot militia along the borders

I thank you for your efforts to pacify the Avgorou area. As to your statement that all your militia have been issued with arms, ammunition and uniform, all that I can say is that this action does not enhance the "culture of peace" and reconciliation, which is what Cyprus needs, but on the contrary keeps "the kettle of war" on the boil and feeds animosity rather than friendship. That the militia has not attacked any Turkish Cypriot or any Turk from Turkey is

no consolation for anyone because the fact is that no Turkish Cypriot or Turk from Turkey has tried to trespass into your prohibited military areas. I still wonder how you will deal with the "monsters" and militias in the south when they become (and they are becoming) self-propelling and start challenging central authority. This has unfortunately been the case in the so-called 'motorcyclists' peaceful demonstration" during August 1996.

## D. Political will

Your allegation that there is no political will on the Turkish Cypriot side to resolve the Cyprus question is regrettable. You will remember that I was unjustly depicted, by the Greek Cypriot press, all through the years of 1968 to 1974 (while talking with you for a settlement) as "intransigent" and as "not having the political will to settle the Cyprus question", while you well knew that I was making all the concessions needed for a settlement except (a) the co-founder partner status of my people (we refused to become a protected minority in a Greek Cypriot Republic as you had set out to make us), and (b) the Guarantee System of 1960 (which was and is absolutely vital for our self-preservation as a co-founder partner of the future set-up as well as for the self-preservation of the independence of Cyprus).

In your memoirs, My Deposition, volume 3, page 206, you confirm this fact in the following words:

> "The decision of Makarios of 12 December 1972 not to compromise, after the concessions the Turkish side had made, sealed his fate and that of Cyprus. The die was cast and the worst followed."

On the same point Mr. Michael Dekleris, the constitutional expert from Greece, who together with his Turkish counterpart, Professor Aldikaçti, joined us in the enlarged intercommunal negotiations in 1972, is quoted in a Fileleftheros report of 6 October 1996 as having said that:

> "In his [Rauf Denktaş's] youthful days he had a reputation of being an extremist, but when I knew him he was a realist, a moderate man at the negotiating table. His attitude was that of a man who seriously wanted and pursued an agreement. I lived and negotiated with this man for two and a half years and I can say that during that period he behaved in a responsible and moderate manner."

In spite of these, my reputation as an "intransigent negotiator" unfortunately stuck, thanks to the Greek Cypriot propaganda machine.

You know very well that on the very day you unjustifiably managed to extract from the United Nations Secretary-General the statement to the effect that we "lacked political will", etc., we had already agreed with Mr. Gustave Feissel on the modalities for the implementation of the package of confidence-building measures, but the Secretary-General, for reasons not clear to us, did not correct his report until after you were able to use it against us for quite some time. Although this misrepresentation was later corrected by the Secretary-General on 28 June 1994 (S/1994/785) it is most regrettable that the

wrong report is still circulated by your propaganda machine all over the world. You also forget to mention that it is not I who politely "misused" the Secretary-General's invitation to us on 10 October 1994 (see S/1994/1229, para. 6):

> "to join him [Mr. Feissel] for a number of informal consultations at his residence with a view to exploring in a practical and concrete manner ways in which progress might be made both in respect of the implementation of the confidence-building measures and the long-contemplated overall settlement of the Cyprus problem."

While refusing the implementation of the United Nations confidence-building measures package (as foreseen in the letter of the United Nations Secretary-General of 28 June 1994 (S/1994/785)) completely, by introducing a new pre-condition in the form of European Union membership (and thus destroying the Secretary-General's agenda for us) you have ever since refused to meet and talk with the Turkish Cypriot side in spite of all promptings by the United Nations and all diplomats involved in the Cyprus case. In order to cover up your lack of political will to reach a settlement on the basis of the 1977 and 1979 high-level agreements, you have since developed the unconvincing excuse that there is not sufficient "common ground" for a settlement.

## E. The events of 1963

I cannot close this section of my letter without reference to your assertion (referring to Field Marshal Lord Carver) that Turkish Cypriots forced the issue before the Greeks were ready to start their pre-planned attack on us! We knew that we were not in a position to force any issue with you because we knew that you were already fully prepared to attack us. We also knew that Turkey was not awake to this danger and had no preparation to avert it. Facts from 1963 to 1974 prove this point quite adequately. But just for the record I should like to quote below your own conclusions, as well as the conclusions of Professor Forsthoff, the President of the Supreme Constitutional Court, General George Karayiannis, the Greek Army Officer then in command of the "Cyprus Army", and Mr. Angelos Vlachos, the then Consul-General of Greece in Cyprus:

1. You conclude in your memoirs that:

> "There is no doubt that, finally, in September 1963, the Greek Cypriot leadership was steering the ship of the Republic, with Makarios at the helm, on a collision course and that the Turkish Cypriot leadership had decided on a course that would meet the collision head on."
> (My Deposition, vol. 3, p. 211)

2. Professor Forsthoff, in a statement published in the newspaper Die Welt of 27 December 1963 concluded that:

> "Makarios bears on his shoulders the sole responsibility of the recent tragic events ... His aim is to deprive the Turkish community of their rights."

3. In a statement published in the Athens-based newspaper Ethnikos Kinyx of 13 June 1965, General Karayiannis is reported to have said that:

"In August 1960 ... President Makarios decided to proceed with the following:

"A. To organize for battle the Greek Cypriots and arm them;

"B. To proceed with the revision of the Constitution, so that, with the cancellation of the Vice-President's veto, it would become possible to put the State into proper working order.

"First of all he put into operation a specially prepared scheme for organizing the Greek Cypriots for battle ...

"The organization of the Greek Cypriots for battle which was thus created and which initially bore the title 'the organization', finally took the name of the National Guard of Cyprus ..."

In another statement published in the same newspaper on 15 June 1965, General Karayiannis admitted that:

"When the Turks objected to the amendment of the constitution, Archbishop Makarios put his plan into effect and the Greek attack began in December 1963."

General Karayiannis's confessions mean that as early as August 1960, the month when the transfer of power from Britain to the new Republic took place, and before the new Constitution had been given a chance to work, President Makarios had already decided to impose, by force of arms, a revision of the Constitution on the Turkish Cypriot partner.

4. Last, but not least, Mr. Angelos Vlachos, the then Consul-General of Greece in Cyprus, in his memoirs Ten Years of the Cyprus Problem says that:

"In January 1963, without the knowledge of the Greek Government, planning exercises were carried out for three days at the Presidential Palace in Nicosia, with the objective of neutralizing the Turks ...

"In order to begin his new offensive, the Archbishop waited for Mr. Karamanlis, who had signed the Zurich/London Agreements, to be removed from power."

I believe I have said enough regarding the points that you raised in your recent letter in my effort to reflect the facts as they happened in the past. We need, however, to look with equal enthusiasm and passion into the future if we want to overcome the traumas of the past and improve the quality of life of our peoples.

I suggest, therefore, that we refrain, from now on, from indulging or involving ourselves in polemics, accusations and counter-accusations, organized events at the borders and buffer-zone violations, all of which do not help to

create an atmosphere conducive to peace and resolution. Counter-productive acts, I suggest, should be discouraged and prevented by both of us at all times.

My position is clear and I will be very frank and open about it so as not to leave any room for misunderstanding: We are one of the two co-founder peoples of the independence and sovereignty of Cyprus. Cyprus is not an exclusively Greek land, it is the homeland of both peoples who are political equals. It is as Turkish as it is Greek. It is these two peoples who will settle the Cyprus problem on the basis of equality and without interference from outside. Bizonality is one of the security elements for my people, and settlement of all property questions by exchange and/or compensation are matters of vital importance which should not be watered down under alleged universal principles. The permanence of the independence of Cyprus cannot be guaranteed if the guaranteed restrictions on the independence of Cyprus (as established in 1960) are not continued. These restrictions, to which all of us agreed in 1960, are that enosis and partition shall be prohibited, and that Cyprus cannot enter into any union in which both motherlands (Turkey and Greece - the guarantors of our independence) are not members. In other words, the balance between our two motherlands vis-à-vis Cyprus must be maintained. I know that having decided to destroy the 1960 partnership Republic in order to convert it into a Greek Cypriot Republic it was your propaganda line to inform the world (especially the non-aligned) that you were "thirsting for full independence". No one knew, as we did, that the purpose was to remove the restrictions on the independence of Cyprus and proceed to enosis. Few understood that these restrictions were necessary for preserving the bicommunal partnership independence. After reading four volumes of My Deposition, my impression is that you understood and respected the above concerns of my community.

Now, with your unilateral application for membership to the European Union, you have assumed that "the Republic of Cyprus" is no longer restricted in regard to the points referred to above and that "Cyprus" is legally able to apply for such membership. Our position on this point is quite clear. If the title of "the Government of Cyprus" has anything to do with the 1960 agreements - and clearly it has none - then under the rule of law your unilateral application is invalid and all process in that direction should be stopped pending the settlement of the Cyprus problem as provided in paragraph 92 of the United Nations set of ideas (S/24472, annex). If you claim that the title which has been usurped for 33 years has nothing to do with the 1960 agreements, namely that it represents "the Greek Cypriot Republic in the south" then, of course, this is another matter, but you should inform the European Union accordingly and not manoeuvre it to conclude that you represent a legitimate Government of all Cyprus and that Turkish Cypriots are a "minority" in the island who should be "contacted within the knowledge of the legitimate Government". In other words, you cannot argue that you are for a bizonal, bicommunal settlement while defying the vested rights of the Turkish Cypriot side to object to your unilateral application for European Union membership by ignoring the agreements in question. This attitude of yours, rest assured, will completely destroy the chances of any settlement. We have been waiting for 33 years for justice to be done and for your side to understand that we are not going to fall into such traps and abandon our vested rights as a politically equal co-founder partner of the defunct 1960 Republic, as well as of the future partnership Republic.

It would be pertinent to note here that the 1960 Treaties of Guarantee and of Alliance, which effectively protected our and Turkey's vital interests and vested rights, are not negotiable and must be accepted as a sine qua non in any future settlement.

Thirty-three years should be enough to prove to all concerned that we either settle the problem and achieve a bizonal and bicommunal unification of the island, or we stay put as two administrations and seek ways and means of peaceful coexistence, giving a chance to our respective peoples to cooperate for mutual benefit and leave it to them to find a formula for reunification once we have put an end to the present atmosphere of enmity, accusation and counter-accusation, and appreciate the fact that the island of Cyprus is the common home of both peoples and that neither one can dominate the other.

To conclude, I wish to reconfirm that we continue to be committed to the 1977 and 1979 High-level Agreements; that subject to full and sincere results-oriented negotiations we are prepared to build on the relevant parameters that have evolved, under the mission of good offices of the Secretary-General, since the High-level Agreements; that the best way forward for the benefit of our two communities, as well as Greece, Turkey and the region, is to re-establish a bicommunal and bizonal partnership based on the political and sovereign equality of our two co-founder communities; and that we need to get together as early as possible (a) to discuss and agree on measures that could help us reverse the destructive cycle of escalation; (b) to study and agree on measures that could address the deep crisis of confidence between our two communities; and (c) to discuss process and content issues regarding the long-contemplated overall settlement.

I am sure you will realize that 33 years are enough to wait for your side to stop dreaming and preparing for the Hellenization of Cyprus at our expense and that we are entitled to further our position and save ourselves from the isolation into which we have been pushed at gunpoint for three decades.

(Signed) Rauf R. DENKTAŞ

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27 November 1996

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# LETTER DATED 27 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward a letter from Mr. Ljubomir Frckovski, Minister for Foreign Affairs of the Republic of Macedonia, regarding the request for the extension of the mandate of the United Nations Preventive Deployment Force (UNPREDEP) in Macedonia after 30 November 1996 (see annex).

I also have the honour to request that the present letter and its annex be circulated as a document of the Security Council.

(Signed) Denko MALESKI
Ambassador

96-34012 (E) 271196

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Annex

Letter dated 18 November 1996 from the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia addressed to the Secretary-General

I believe that there is a need to address you once again regarding the extension of the mandate of the United Nations Preventive Deployment Force (UNPREDEP) in the Republic of Macedonia after 30 November 1996.

I would first like to express my deep appreciation for the contents of your report to the Security Council of 30 September 1996 (S/1996/819) recommending extension of the mission's presence and elaborating the arguments in favour of so doing. We highly appreciate your recommendation, made on the basis of the professional observations of the Special Representative and the Force Commander, that any reduction in troops would have a negative impact on the implementation of the mandate and weaken the capacity of the international community to assess and respond to potential threats to the Republic of Macedonia. Aware of the financial difficulties of the United Nations and of the need to re-examine all United Nations peace operations, including UNPREDEP, we support all activities of the Security Council for permanent evaluation of the status of all missions.

However, I am convinced that you share my opinion that, unfortunately, since my last letter to you of 6 August 1996, the situation in the region has not changed to an extent that would allow changes in the future of UNPREDEP, either its reduction or termination.

As I already mentioned in my previous letter, the key reasons for further presence of UNPREDEP in the country are understandable, firstly, because of the sensitive and complex situation in Bosnia and Herzegovina in the period of implementation of the Dayton Peace Accord and the future developments reflecting the outcomes of the London Conference; secondly, because of the country's inability to upgrade its own defence capabilities to a satisfactory level in a short period of time; and, thirdly, because of the forthcoming demarcation of the State border with our northern neighbour, the Federal Republic of Yugoslavia.

Here I would like to draw your attention in particular to the issue of the complexity of the situation in Kosovo, which we consider to be a potential source of inter-ethnic tensions in the region. Regardless of various predictions and strivings as regards the timing of the resolution of this issue, it is undoubtedly clear that, in the case of an undesired negative development in the situation, the UNPREDEP peacekeeping force will play an essential role in preventing the spill-over and the spread of tension on the territory of the Republic of Macedonia.

During his recent visit to the Republic of Macedonia, coordinated with the United Nations Secretariat, the Permanent Representative of the Russian Federation to the United Nations, Ambassador Sergey Lavrov, expressed his high consideration for the organization and functioning of the UNPREDEP structures.

The forthcoming months will be crucial for consolidation of the peace process to be accomplished in the region. Any decision on reduction and withdrawal of the military staff and equipment in winter conditions would complicate its implementation and would result in minimal savings from a financial point of view. Furthermore, we consider that such a decision would impair the stability of the country and the region, giving a "wrong signal".

I am convinced that your recommendations to the Security Council regarding the future of UNPREDEP, including the evaluation of the general situation in the region and the potential threats that continue to endanger the peace and stability of the Republic of Macedonia, would be a sound basis for an appropriate reaction by the members of the Security Council as they consider the issues of extending the mandate and of the strength and composition of the UNPREDEP mission.

We would highly appreciate it if the present letter could be made available to the members of the Security Council.

(Signed) Ljubomir D. FRCKOVSKI

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UNITED
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S/1996/984
27 November 1996

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its previous resolutions concerning the situation in Liberia, in particular resolution 1071 (1996) of 30 August 1996,

Welcoming the report of the Secretary-General dated 19 November 1996 (S/1996/962),

Noting with grave concern the continued violations by the factions of the ceasefire as agreed to in the 19 August 1995 Abuja Agreement (S/1995/742) and in the timetable for implementation established on 17 August 1996 (S/1996/679) when the Abuja Agreement was extended, which threaten the prospects for peace in Liberia,

Welcoming the beginning of the disarmament process on 22 November in accordance with the amended implementation schedule of the Abuja Agreement and urging all factions to participate as they have agreed,

Reiterating that the people of Liberia and their leaders bear the ultimate responsibility for achieving peace and national reconciliation,

Noting with appreciation the active efforts of the Economic Community of the West African States (ECOWAS) to restore peace, security and stability to Liberia and commending the African States which have contributed to the ECOWAS Monitoring Group (ECOMOG),

Expressing its appreciation to those States which have supported the United Nations Military Observer Mission in Liberia (UNOMIL) and those which have contributed to the Trust Fund for Liberia,

Emphasizing that the continued presence of UNOMIL is predicated on the presence of ECOMOG and its commitment to ensure the safety of UNOMIL,

1. Calls upon the Liberian factions to cease hostilities immediately and to implement the commitments they have entered into, especially the agreement of ECOWAS in Abuja on 17 August 1996, which established a timetable for

implementation of the agreement, adopted a mechanism to verify compliance by the faction leaders with the agreement, and proposed possible measures against the factions in the event of non-compliance;

2. Urges the factions to complete on time the disarmament process, which is one of the key steps leading up to the forthcoming elections in 1997;

3. Stresses the urgent need for the international community to support the work and training projects to help ensure the social and economic rehabilitation of demobilized combatants;

4. Decides to extend the mandate of UNOMIL until 31 March 1997;

5. Decides further to maintain UNOMIL deployments at an appropriate level as recommended in paragraph 37 of the report of the Secretary-General (S/1996/962), and requests that the Secretary-General, taking into account the need to ensure the security of UNOMIL personnel, advise the Council of any planned further deployments;

6. Condemns in the strongest possible terms the practice of recruiting, training, and deploying children for combat, and demands that the warring parties immediately cease this inhumane and abhorrent activity and release all child soldiers for demobilization;

7. Condemns all attacks against and intimidation of personnel of ECOMOG, UNOMIL, and the international organizations and agencies delivering humanitarian assistance as well as the looting of their equipment, supplies, and personal property, and calls upon the leaders of the factions to return stolen property;

8. Demands that the factions facilitate the freedom of movement of UNOMIL, ECOMOG, and international organizations and agencies and the safe delivery of humanitarian assistance and that they strictly abide by the principles and rules of international humanitarian law;

9. Stresses the importance of respect for human rights in Liberia, and emphasizes the human rights aspect of UNOMIL's mandate;

10. Stresses also the obligation of all States to comply strictly with the embargo on the deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) of 19 November 1992, to take all actions necessary to ensure strict implementation of the embargo, and to bring all instances of violations of the embargo before the Committee established pursuant to resolution 985 (1995) of 13 April 1995;

11. Reiterates strongly its appeal to all States to provide financial, logistical and other assistance in support of ECOMOG to assist it in carrying out its mission and to contribute to the United Nations Trust Fund for Liberia in order to help implement the peace process, including demobilization and reintegration;

12. Stresses the importance of close contacts and enhanced coordination between UNOMIL and ECOMOG at all levels and calls upon ECOMOG, in accordance

with the agreement regarding the respective roles and responsibilities of UNOMIL and ECOMOG in the implementation of the Cotonou agreement (S/26272) and with the UNOMIL concept of operations, to provide security for UNOMIL;

13. Requests the Secretary-General to keep the Council informed of the situation in Liberia, especially on the progress of demobilization and disarmament and to submit by 31 January 1997 a progress report and recommendations on possible United Nations support for the holding of free and fair elections;

14. Decides to remain seized of the matter.

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/985
27 November 1996

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming all its previous resolutions on the question of Western Sahara,

Having considered the report of the Secretary-General of 5 November 1996 (S/1996/913),

Reaffirming its commitment to assist the parties to achieve a just and lasting solution to the question of Western Sahara,

Welcoming the reiteration by the Kingdom of Morocco of its commitment to the Settlement Plan,

Welcoming also the reiteration by the Polisario Front of its commitment to the Settlement Plan,

Stressing the importance it attaches to the maintenance of the ceasefire, as an integral part of the Settlement Plan,

Stressing also the importance and usefulness of the resumption of exploratory talks between the parties, without prejudice to their respective positions, in order to create an atmosphere of mutual confidence conducive to a speedy and effective implementation of the Settlement Plan,

Reiterating that, for progress to be achieved, the parties must have a vision of the post-referendum period,

Noting the completion by the Secretary-General of reductions in the various components of the United Nations Mission for the Referendum in Western Sahara (MINURSO),

1. Reiterates its commitment to the holding, as soon as possible, of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the Settlement Plan;

2. Supports the activities of the Acting Special Representative in continuing the dialogue with the parties and the two neighbouring countries and

in facilitating, in the context of the Settlement Plan, other efforts to set the parties on a course towards an agreed formula for the resolution of their differences, and requests that those activities be accelerated and that the parties continue to cooperate with the Acting Special Representative;

3. Notes the beneficial effect of demonstrations of goodwill and of all contacts aimed at achieving the implementation of the Settlement Plan;

4. Welcomes the steps taken by the parties to demonstrate goodwill, including the release of prisoners, and the recent indications that the parties are moving forward in their efforts to resolve outstanding questions concerning the implementation of the Settlement Plan, and encourages them to pursue these efforts so as to build confidence between themselves and to facilitate the implementation of the Settlement Plan;

5. Welcomes also the ongoing activities of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the cooperation afforded to it by the parties and encourages UNHCR to pursue its humanitarian work and assistance in accordance with its mandate and the Settlement Plan;

6. Decides to extend the mandate of MINURSO, on the basis proposed by the Secretary-General in his report of 5 November 1996, until 31 May 1997;

7. Requests the Secretary-General to continue his efforts with the parties to break the impasse blocking the implementation of the Settlement Plan, and to submit an interim report to the Council by 28 February 1997 on the outcome of his efforts;

8. Also requests that in his next report the Secretary-General propose alternative steps, in the framework of the Settlement Plan, should there be no meaningful progress towards removing the obstacles to the implementation of the Plan;

9. Further requests the Secretary-General to continue to keep the staffing size and configuration of the various components of MINURSO under active review in order to ensure maximum efficiency and effectiveness, and to include in his next report ways to achieve this aim;

10. Also requests the Secretary-General to keep the Council closely informed of all significant developments, including their humanitarian aspects, and to submit a comprehensive report on the implementation of this resolution by 9 May 1997;

11. Decides to remain seized of the matter.

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UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/986
27 November 1996

ORIGINAL: ENGLISH

LETTER DATED 27 NOVEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Please find enclosed the text of a statement I had intended to make to the Security Council regarding the report of the Secretary-General on the United Nations Prevention Deployment Force pursuant to Security Council resolution 1058 (1996) (S/1996/961) (see annex).

I would appreciate it if the present letter and attached statement could be circulated as a document of the Security Council.

(Signed) Denko MALESKI
Ambassador
Permanent Representative
of the Republic of Macedonia
to the United Nations

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Annex

Address to be given by the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations to the Security Council on 27 November 1996

Allow me to congratulate you on your presidency and to state that the United Nations Preventive Deployment Force (UNPREDEP), the first preventive mission of the United Nations, is one of the Organization's big successes. The secret of this success is simple: a Government determined to preserve peace and an international organization willing to help have worked very closely for a common cause.

The dominant voice in the Republic of Macedonia has been the voice of reason and tolerance. Although living in a region where ethnic hatred has caused several wars in the course of the last four years, we have preserved the principles of common humanity to which we all belong regardless of ethnic origin. Contrary to the practice of demonizing national minorities, we have repeatedly pointed to the long history of common life between them and the Macedonian people. The policy of peaceful self-determination that has guided us to independence has preserved our good relations with all the former Yugoslav Republics. Today we have full diplomatic relations with the members of the former federation and have developed high levels of economic cooperation through the creation of free trade zones. We have also established relations with all our neighbours, thus contributing to peace and stability in the Balkan region.

We are grateful to all those in the international community who gave us a helping hand in achieving what many said was impossible in the Balkans: independence through negotiation and ethnic tolerance through the development of democratic institutions.

The presence of United Nations soldiers on our borders has been a manifestation of the Organization's support for the territorial integrity of the Republic of Macedonia. It has also given us the time to start creating a credible defence force after the withdrawal of the Yugoslav army.

The new territorial status quo that came into being with the dissolution of the former Yugoslav federation is still very unstable. The wounds of recent wars on the territory of three of the five new States are still very deep, and it will take time for them to heal. That is the main reason for the need for foreign military presence in the region at this point in time.

The Republic of Macedonia which achieved its independence through peaceful self-determination, also needed assistance. Together with the United Nations we opted for a preventive force, because, if Macedonia is regarded as a potential source of instability, it is not that as a State it endangers anyone but because of potential political and territorial designs of others towards its territory and people.

Ethnic hatred has plunged the region into war several times in the course of the twentieth century, but the power of this historical continuity must not

be exaggerated. This century has also been marked by the advance of justice and democracy in the world, while in the Balkans the long periods of peaceful life of different ethnic and religious groups by far outlast the short outbursts of violence. The way to put an end to these outbursts in the coming century is through respect for international legal codes of behaviour among the new States and the development of those new States into democratic and civil societies. This is the major task that we are facing now. Alas, it is a task that demands time.

Today the Security Council is to decide on the future of the UNPREDEP mission in Macedonia. The mission has contributed greatly to the stability of the southern Balkans. My Government is of the view that the United Nations Preventive Deployment Force should be extended for another six months and that any reduction would have a negative impact on its effectiveness.

The Security Council should not rush to decisions that may later cause regret. A long and ugly war in the region has just ended, but that does not mean that the behaviour of States, ethnic groups and individuals has immediately changed. The dominant state of mind in the Balkans is still aggressive.

The Balkans need time to adjust to the new facts of life: to the new territorial status quo, to the imperative of interstate cooperation to the rule of law, to democracy and human rights.

The Balkans need time to adjust to peace. The United Nations should follow closely the pace of that adjustment, making decisions accordingly.

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UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/51/697
S/1996/987
27 November 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda items 10 and 38
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION
COOPERATION BETWEEN THE UNITED NATIONS
AND THE ORGANIZATION FOR SECURITY
AND COOPERATION IN EUROPE

SECURITY COUNCIL
Fifty-first year

Letter dated 27 November 1996 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Azerbaijan Republic regarding the current situation in the settlement of the Armenian-Azerbaijani conflict on the eve of the Summit of the Organization for Security and Cooperation in Europe in Lisbon, issued on 27 November 1996 (see annex).

I should be grateful if you would have the present letter and its annex urgently circulated as a document of the General Assembly, under agenda items 10 and 38, and of the Security Council.

(Signed) Eldar KOULIEV
Permanent Representative

ANNEX

[Original: Russian]

Statement issued on 27 November 1996 by the Ministry of Foreign Affairs of Azerbaijan

In connection with the forthcoming Summit of member countries of the Organization for Security and Cooperation in Europe (OSCE) to be held in Lisbon on 2 and 3 December 1996, the President of the Azerbaijani Republic, Heydar Aliyev, sent to the heads of State and Government of the OSCE member countries on 6 November 1996 a special statement containing an analysis of the situation with regard to the settlement of the Armenian-Azerbaijani conflict in the period since the Budapest Summit and the necessity of adopting serious decisions at the forthcoming Lisbon Summit.

The President of Azerbaijan noted the importance of incorporating in those decisions the fundamental principles on the basis of which the negotiations on the settlement of the Armenian-Azerbaijani conflict will proceed, namely, respect for the territorial integrity of the Azerbaijani Republic, the granting of broad autonomy to Nagorny Karabakh as a constituent part of the Azerbaijani Republic, and guarantees of security to the entire population of the Nagorny Karabakh region of Azerbaijan.

In their replies, which are still being received, the leaders of the United States of America, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, France, Turkey and other States commended the constructive nature of the proposals made by Azerbaijan and expressed support for the idea that the decisions of the Lisbon Summit should give serious impetus to the settlement of the Armenian-Azerbaijani conflict.

In the course of the contacts which have taken place during this period between the Azerbaijani leadership and representatives of the United States, the Russian Federation, Turkey, Germany, the United Kingdom, France, Georgia, Ukraine, Kazakstan, Finland, the Netherlands, Belgium, Greece, Norway and other States, questions concerning the preparation of the OSCE Lisbon Summit emerged as the main theme of the meetings.

The draft decisions of the forthcoming Summit were also discussed at the talks held in Helsinki from 18 to 22 November 1996 within the framework of the OSCE Minsk Group.

During these talks, pursuing the same line, the Co-Chairmen of the Minsk Conference and of the OSCE Minsk Group, in consultation with representatives of the Group's member States, made proposals based on the principles for the settlement of the conflict contained in the document submitted by the current President of the OSCE, the Minister for Foreign Affairs of Switzerland, Flavio Cotti, during his visit to the region in February 1996.

The Azerbaijani Republic, considering the proposal of the Co-Chairmen to be a basis for the continuation of work on the formulation of mutually acceptable

principles for the settlement of the conflict, has expressed its readiness to work constructively on that text and its view that the draft must be agreed in order to achieve real results.

However, the Republic of Armenia adopted an extremely negative position with regard to the Co-Chairmen's draft and virtually refused to work on it, thereby demonstrating its overt unwillingness to accept, as a basis for settling the Armenian-Azerbaijani conflict, the principles put forward by the Co-Chairmen, namely, the territorial integrity of the Azerbaijani Republic, the granting to Nagorny Karabakh of a status that would give it broad autonomy as a constituent part of the Azerbaijani Republic, and guarantees of security to the entire population of Nagorny Karabakh.

At the second stage of the preparatory meeting for the Lisbon Summit, the President of Switzerland, which holds the presidency of the OSCE for 1996, put forward a text identical to the proposal of the Co-Chairmen of the Minsk Conference for inclusion in the Summit Declaration. This indicates unequivocally that the international community intends to seek a settlement of the conflict only on the basis of respect for the principle of territorial integrity of the Azerbaijani Republic and the possibility of granting autonomy to the Nagorny Karabakh region as an integral part of the Azerbaijani Republic.

The attitude of the Republic of Armenia towards that proposal was stated at the press conference given on 25 November by Mr. Z. Liparidian, chief adviser to the President of the Republic of Armenia, who indicated that the Republic of Armenia intends to exercise its right of veto with regard to the document submitted.

In connection with that statement, the Azerbaijani side considers that the leadership of Armenia must seriously assess the possible consequences of such actions, which would signify that country's virtual opposition to the view of the international community as unambiguously expressed in that document.

The Azerbaijani Republic once again affirms its devotion to the peaceful settlement of the Armenian-Azerbaijani conflict and expresses confidence that, at the Lisbon Summit of Heads of State and Government of the OSCE, the international community will, on the basis of these fundamental principles, work out a solution that will facilitate the speedy liberation of the occupied territories and the return of the displaced persons to their homes.

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UNITED
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General Assembly
Security Council

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A/51/698
S/1996/988
26 November 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 39
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

SECURITY COUNCIL
Fifty-first year

# Report of the Secretary-General

## I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 12 of General Assembly resolution 50/88 B of 19 December 1995, in which the Assembly requested the Secretary-General to report to it at its fifty-first session on the progress made in the implementation of the resolution. In the same paragraph of the resolution, the General Assembly also requested the Secretary-General to report every three months on the progress of the United Nations Special Mission to Afghanistan. Two progress reports have been submitted to the Assembly: one on 3 April 1996, covering the period from 1 January to 31 March 1996 (A/50/908); and the other on 16 July 1996, for the period from 1 April to 30 June 1996 (A/50/908/Add.1).

2. The present report is, at the same time, intended to fulfil the request contained in paragraph 14 of Security Council resolution 1076 (1996) of 22 October 1996.

3. The present report describes the main events which have taken place in Afghanistan since the adoption of General Assembly resolution 50/88 B, including the activities of the Special Mission. Special attention has been given to the period between July and November 1996, when Afghanistan witnessed yet another round of upheavals with significant implications for its future and for the United Nations peacemaking efforts.

4. On 7 July 1996, I appointed Mr. Norbert Heinrich Holl as head of the United Nations Special Mission to Afghanistan to replace Mr. Mahmoud Mestiri, who had resigned at the end of May for health reasons.

## II. RECENT DEVELOPMENTS IN AFGHANISTAN

### Military developments

5. Until the beginning of September 1996, control of Afghanistan remained divided between a number of groupings. The Government forces of Mr. Burhanuddin Rabbani and his chief military commander Mr. Ahmad Shah Masoud controlled Kabul and five adjacent provinces in the north-east. General Abdul Rashid Dostum and his allies in the Supreme Coordination Council controlled six provinces in the north. The Hezb-i-Wahdat of Mr. Abdul Karim Khalili, a member of the Council, controlled the central regional province of Bamyan and parts of Ghor. The Eastern Zone Shura led by Governor Hajji Abdul Qadir, which was independent of the other factions and claimed neutrality between them, controlled the provinces of Nangarhar, Laghman and Kunar. The Taliban movement controlled 14 provinces in the south and west and in geographical terms was the most significant of the factions.

6. Although the rest of Afghanistan remained relatively calm, fighting continued around Kabul between the forces of the Government and the Taliban, who were close to the outskirts of the city. The fighting involved the use of rockets, missiles and occasional aerial bombardment by each side of the other's positions. Civilian casualties and material damage in Kabul were heavy at times. The main supply road to Kabul from Jalalabad through Sarobi was often blocked, causing shortages of food and fuel in Kabul. The main road from Mazar-i-Sharif in the north through the Salang Tunnel also remained closed for most of this period, despite the undeclared ceasefire between the Government and the Supreme Coordination Council forces south of the Salang Pass.

7. The general calm in the north under General Dostum was briefly disturbed by the death, in an ambush in Mazar-i-Sharif on 25 June 1996, of General Rasul Pahlawan, deputy to General Dostum and head of the armed forces of the National Islamic Movement of Afghanistan (NIMA) led by General Dostum. Clashes were reported between the supporters of General Dostum and General Pahlawan in the period immediately following the latter's death. The situation was soon brought under control and calm gradually returned to the area.

8. Dramatic changes, however, began at the beginning of September when the Taliban, advancing from Azra town in Logar province, attacked the Nangarhar forces under Governor Hajji Abdul Qadir, which were defending the strategic town of Hasarak, some 70 kilometres south-west of Jalalabad. After several hours of what was described as heavy fighting involving the use of fighter planes, artillery and tanks, the Taliban forces claimed victory. The Nangarhar forces withdrew, claiming to have suffered heavy casualties and requesting the International Committee of the Red Cross to assist in the evacuation of the dead and wounded to a hospital in Jalalabad. Hajii Qadir and some members of his Shura fled from Jalalabad to Peshawar in Pakistan. Others either changed sides or went into hiding. Subsequent reports suggested that the fighting was less intense than initially reported and that the Taliban's advance was largely due to the defending forces' reluctance to resist it.

9. On the following day, 11 September, the Taliban captured Jalalabad, putting an end to the four-year-old multi-party Shura of Nangarhar, Laghman and Kunar. Again initial reports seem to have exaggerated the intensity of the fighting, though the Kabul Government used aerial bombardment in an effort to prevent the Taliban from taking the city.

10. I issued a statement on 12 September expressing grave concern at the escalation of hostilities and the bombing of Jalalabad, which especially endangered the large population of internally displaced persons camped in the area. The spread of fighting to Nangarhar was also of concern as the Special Mission's headquarters were located in Jalalabad precisely because of the city's neutrality. I was obliged to instruct the head of the Mission to move his headquarters back to Islamabad as a temporary measure, until conditions permitted its relocation to Kabul.

11. After taking Jalalabad, the Taliban began to move against Sarobi on the road from Jalalabad to Kabul and captured it on 24 September. At the same time, they moved northwards towards Bagram airport, which had become the only airport available to the Kabul Government, Badakshan province and its capital Fayzabad. The situation in Kabul became tense and its security precarious as government forces fell into disarray. On 26 September, I ordered the evacuation of all non-essential United Nations staff, leaving only three international staff members in the capital. Many non-governmental organizations and foreign embassies also evacuated their staff from Kabul at this time. The head of the Special Mission issued a statement on 25 September appealing to the warring factions to cease all hostilities and to pursue negotiations under the auspices of the United Nations. He also called on those countries with influence in Afghanistan to persuade the warring factions to abandon the course of war and to search for peace in a spirit of reconciliation and mutual accommodation.

12. The Taliban forces entered Kabul in the early morning of 27 September and immediately took control of the city without perceptible resistance from the government forces which had largely withdrawn during the previous night. A six-member interim Council was formed under the leadership of Mullah Mohammed Rabbani to take charge of Kabul. The Taliban rigorously imposed the Shariah Islamic law on the Kabul population as they had done previously in other areas under their control. I issued a statement on 7 October 1996 expressing concern about the ability of the United Nations to continue its humanitarian and developmental work given some of the constraints imposed by the new regime in Kabul.

13. The Taliban pursued their military advance northwards from Kabul. A few days later they captured Charikar, followed by Bagram airport, and the strategic town of Jabal-os-Siraj at the foot of the Salang Pass, which put them face-to-face with the forces of General Dostum south of the Salang Tunnel. They also captured Gulbahar, a town at the entrance of the Panjshir valley, the base of Commander Masoud.

14. After withdrawing from Kabul, the government forces regrouped in the Panjshir valley and had little difficulty in repelling attacks against them by the Taliban. Two weeks later they launched a counter-attack and retook such

strategic places as Jabal-os-Siraj, Bagram and Charikar and moved to within rocket range of Kabul. Meanwhile, General Dostum and his allies in the Supreme Coordination Council abandoned their neutrality between the Taliban and the government forces and on 11 October concluded a new alliance known as Supreme Council for the Defence of Afghanistan. It comprised NIMA, the Hezb-i-Wahdat, Mr. Rabbani and Commander Masoud. The relationship between the Supreme Council and Mr. Gulbuddin Hekmatyar, who had been Prime Minister in Mr. Rabbani's Government since 26 June 1996, remains obscure. The purpose of the new alliance was to check, by military means if necessary, any further advances by the Taliban forces.

15. Since mid-October the military situation around Kabul has remained static, with desultory shelling and rocketing and occasional air raids but no serious armoured or infantry activity by either side. There has, however, been a recrudescence of military activity in the west of the country where Taliban forces operating out of Herat made initial incursions into NIMA-controlled territory in Badghis and Faryab provinces, as a riposte to the government forces' counter-attack to the north of Kabul, but they were subsequently repulsed by NIMA forces. At the same time, there have been reports of anti-Taliban unrest in the eastern provinces of Kunar and Nangarhar by elements of the former administration of these areas. The unrest has so far not developed into a full-scale military confrontation.

16. The most significant and disturbing consequence of these military developments is that Afghanistan is effectively divided, for the first time in recent history, between north and south. The division is not only military but also ethnic: the Taliban, whose leadership and forces are largely composed of Pashtuns, control almost all the Pashtun majority areas; and the Supreme Council controls almost all the areas where the majority is Hazara, Tajik or Uzbek.

Former Afghan President Najibullah

17. One of the first acts of the Taliban administration in Kabul was the extrajudicial murder of the former President Najibullah and his brother Shahpur Ahmadzai in the early hours of 27 September. At about 0130 hours on that day, a group of Taliban soldiers forcibly entered the Special Mission premises where Mr. Najibullah, his brother and two other colleagues had been living since taking refuge in the United Nations premises in April 1992. After some discussion, the Taliban soldiers forced Mr. Najibullah at gunpoint to enter their vehicles, which took him away in the direction of the presidential palace. About two hours later, another group of Taliban soldiers broke into the Mission compound and forcibly removed Mr. Ahmadzai, under the pretext of taking him to see his brother and promising to return him and Mr. Najibullah to the Mission premises within 30 minutes. At about 0600 hours, the United Nations international personnel in the Mission compound were informed that the bodies of Mr. Najibullah and his brother were hanging in Ariana square in the city centre, a short distance from the compound.

18. Mr. Najibullah's predicament had been a matter of concern to me for the previous four years. I had personally intervened with the Kabul authorities on a number of occasions to persuade them that Mr. Najibullah, who had cooperated

with the United Nations in an attempt to transfer power peacefully in 1992, should be allowed to leave Afghanistan safely. Most recently I had instructed the Under-Secretary-General for Political Affairs to put new proposals in this regard to the Kabul authorities during his visit to Afghanistan in mid-September (see paras. 37-39 below). They had consistently maintained that they wanted to resolve the problem but saw great political difficulties in doing so. They had nevertheless shown interest in the ideas put forward by the Under-Secretary-General for Political Affairs.

19. However the Taliban's seizure of Kabul and murder of Mr. Najibullah brought these discussions to an end and raised new issues relating to violation of the immunity of United Nations premises and the execution of persons who had sought refuge in those premises.

Current political developments

20. The fall of Kabul to the Taliban on 27 September has generated a great deal of political and diplomatic activity inside Afghanistan, in the region and internationally; it has also significantly affected the work of the Special Mission. Inside Afghanistan, a new realignment of forces emerged as a new anti-Taliban alliance replaced the Supreme Coordination Council. Control of the country is now divided between two major forces, the Taliban and the Supreme Council for the Defence of Afghanistan. The capture of Kabul, meanwhile, has propelled the Taliban into the international spotlight as their structure, administration, leadership, policies, political agenda and military aims are subjected to close scrutiny by the international community and the media.

21. At the regional level, some countries were alarmed at the prospect that the Taliban might overrun the whole of Afghanistan, while others took a less negative view of developments. The Russian Federation and four Central Asian countries adopted at Almaty on 4 October a declaration expressing concern that the flames of war should be coming nearer to the borders of countries belonging to the Commonwealth of Independent States. They declared that the Afghan conflict posed a direct threat to their national interests and security and those of the region. At the initiative of the Islamic Republic of Iran, a regional conference on Afghanistan was held at Tehran on 29 and 30 October. The conference adopted a declaration expressing concern at recent events and appealed for an early settlement through mediation by the international community.

22. The Security Council held several meetings and informal consultations on the Afghan situation before and after the fall of Kabul, and repeatedly requested me and the Special Mission to keep it fully informed of events. On 22 August, the President of the Security Council addressed a letter to me on this subject. After a formal meeting on 16 October, the Council adopted resolution 1076 (1996) on 22 October, in which it, inter alia, called upon all Afghan parties immediately to cease all armed hostilities, to renounce the use of force, to put aside their differences and to engage in a political dialogue aimed at achieving national reconciliation and a lasting political settlement of the conflict and establishing a fully representative and broad-based transitional government of national unity.

Humanitarian situation

23. The humanitarian situation in Afghanistan remains serious and is likely to deteriorate sharply over the winter months.

24. In spite of the destruction of 300,000 mines and the clearance of 153.8 square kilometres, it is estimated that up to 10 million mines still remain. Mine-related deaths have soared in recent months, owing to the massive number of civilians moving back into former front-line territory. It is estimated that on average one person is killed per hour by a mine incident. In Kabul, three persons per day report to hospitals with serious injuries caused by mines or unexploded ordnance. This rate is likely to increase in coming months as the population, especially children, enter former areas of conflict in search of firewood.

25. It is estimated that up to 1 in 10 Afghans suffer from a disability of some kind: war has created a large population suffering from blindness, amputations, paralysis or trauma. Few are receiving adequate, if any, treatment. Preventable communicable diseases are the leading cause of death among Afghan children. Malnutrition is now estimated to affect 15 to 20 per cent of all children under the age of five. Health problems are exacerbated by limited access to safe drinking water, estimated to be available to only 5 per cent of the rural population and at best 40 per cent of the urban population.

26. The food security situation will worsen as winter sets in, especially for the urban population. It is estimated that up to 600,000 persons in Kabul have an inadequate diet and may suffer from severe malnutrition. Some 700,000 Afghans now depend upon subsidized bread. A further 210,000 receive food assistance through the World Food Programme food-for-work projects for rehabilitation and reconstruction.

27. Afghanistan has the highest rate of infant, child and maternal mortality in Asia. It is listed as the last of 135 countries on the United Nations Development Programme Gender Development Index, which measures female literacy, life expectancy and school enrolment. The prospects for addressing this situation have taken a sharp turn for the worse in recent weeks.

28. Over 2 million Afghan refugees live outside the country. There are hundreds of thousands of internally displaced people, including up to 50,000 newly displaced as a result of recent fighting in the north-west.

29. The security of United Nations and other aid community staff, both national and international, is a matter of growing concern. Staff have been subject to threats, intrusion into their private and official premises and kidnapping. These have led the Office of the United Nations High Commissioner for Refugees (UNHCR) to put a hold on some of their programmes in Kabul until all UNHCR local staff are able to resume their activities, in particular the four who are still in detention.

30. Violations of basic human rights, in particular those of women, have increased considerably, notably in Kabul since the Taliban takeover. In areas

under their control, women and girls have been denied education and employment. On 7 October, I issued a statement in New York on the status of women and girls in Afghanistan, in which I stressed that the ability of the various United Nations agencies to operate in Afghanistan was vitally affected by policies of unequal treatment. I shall continue to address this issue patiently but consistently, through the Special Mission, the United Nations Office for the Coordination of Humanitarian Assistance to Afghanistan and the United Nations agencies in Afghanistan.

## III. ACTIVITIES OF THE SPECIAL MISSION

31. Upon his appointment in July, the head of the Special Mission visited New York to be briefed and to receive instructions. He had consultations here with a number of Member States and stopped in Washington and Moscow for talks with senior government officials, before arriving in the region on 23 July and conducting a first round of consultations there between then and 13 August.

32. The initial round was devoted to an in-depth exchange of views with Afghan leaders and others. The head of the Special Mission briefed his interlocutors on his approach to his task and impressed on them the urgency of breaking the deadlock and the need to cooperate with the United Nations, beginning with an immediate ceasefire. He also stressed his intention to ensure better coordination between the United Nations agencies, non-governmental organizations and the Special Mission.

33. In pursuit of these aims, the head of the Special Mission travelled widely in Afghanistan. He met in Kabul with President Burhanuddin Rabbani; Prime Minister Gulbuddin Hekmatyar; the leader of the Ittehad-i-Islami, Mr. Abdul Rasul Sayyaf; the deputy leader of the Harakat-i-Islami, Mr. Ali Javed; the leader of the Hezb-i-Wahdat breakaway faction, Mr. Mohammed Akbar; the Vice-Minister for Foreign Affairs, Mr. Abdul Rahim Ghafoorzai; and the Minister of State for Foreign Affairs, Mr. Najibullah Lafrae. In Mazar-i-Sharif and Shebarghan, he met with the leader of the National Islamic Movement of Afghanistan, General Abdul Rashid Dostum, and his senior military and political officials, as well as with the deputy leader of the Hezb-i-Wahdat, Mr. Mohaqqiq. In Kandahar, he met the Taliban leadership, represented by the deputy leader of the Taliban Council, Mullah Mohammed Hassan; the Governor of Kandahar, Mullah Mohammed Hassan Rahmani; the official-in-charge of foreign affairs, Hajji Abdul Jalil; and the secretary of the Taliban Council, Mr. Mohammed Tahir. In Yaokolang, in Bamyan province, he met with the leader of the Hezb-i-Wahdat, Mr. Abdul Karim Khalili, and members of his Central Committee, and later with a group of professional women representing the women's wing of the Hezb-i-Wahdat. In Jalalabad, he met with Governor Hajji Abdul Qadir and members of his Eastern Zone Shura, and visited a camp of internally displaced persons located outside Jalalabad.

34. In Islamabad, the head of the Special Mission had talks with the leader of the National Islamic Front of Afghanistan (NIFA), Pir Sayed Ahmed Gailani; the leader of the Harakat-i-Islami, Ayatollah Assef Mohseini; and other prominent

Afghan personalities. He met several times with the Foreign Secretary of Pakistan, Mr. Najmuddin Sheikh, and other senior government officials. He then visited Peshawar for a meeting with the representatives of the international and Afghan non-governmental organizations working in Afghanistan, and with the members of the Council for Mutual Understanding of Afghanistan, a body representing a group of Afghan intellectuals.

35. Following this initial round of his consultations, the head of the Special Mission reported to me the following conclusions. There was a genuine sense of frustration among his interlocutors, who showed increasing anxiety about the political deadlock and the deteriorating military situation. Most of them tended to blame the stalemate on foreign interference, especially through the supply of arms and other military assistance. The Taliban and General Dostum reiterated their demand that Mr. Rabbani step down as a precondition for any negotiations. All the Afghan leaders showed undiminished support for the activities of the Special Mission, reaffirming their confidence in the United Nations as the organization best suited to break the stalemate. They repeatedly urged the Mission to put forward its own peace plan or at least a blue-print for a settlement.

36. I instructed the head of the Special Mission to pursue the peace process as intensively as possible. He should maintain contact with a wide spectrum of Afghan leaders and others, including segments of Afghan civil society, such as women's organizations and professional groups. I also requested him to press the leaders of the warring factions to agree to an immediate cessation of hostilities and to begin serious negotiations, through the good offices of the United Nations.

37. In order to demonstrate the importance I attached to the revitalization of the United Nations peacemaking efforts in Afghanistan, I dispatched the Under-Secretary-General for Political Affairs to the region between 10 and 17 September 1996.

38. In Kabul, the Under-Secretary-General and the head of the Special Mission met with President Rabbani, Prime Minister Hekmatyar, Mr. Rasul Sayyaf, Commander Masoud and Vice-Minister for Foreign Affairs Ghafoorzai, as well as with Mr. Najibullah. In Shebarghan, they met with General Dostum and the deputy head of the Hezb-i-Wahdat representing Mr. Khalili and in Kandahar with a delegation of the Taliban leadership led by the movement's Attorney-General, Mullah Abbas. They were obliged, however, to cancel their planned visit to Jalalabad, the location of the Mission's headquarters, as government aircraft were bombing the city, recently taken by the Taliban. In Islamabad, they held discussions with the Foreign Secretary of Pakistan, Mr. Najmuddin Sheikh, and with the Minister of the Interior, Mr. Nasrullah Babar.

39. Upon his return to New York, the Under-Secretary-General reported to me on the situation in Afghanistan as well as the activities of the Special Mission. Following his report, I confirmed that the Mission should intensify its consultations with all the Afghan parties, especially the Taliban, and that it should try to get each of them to subscribe to certain basic principles, such as a renunciation of the military option; agreement to participate in a phased

political process; negotiation in good faith; acceptance of a ceasefire; acknowledgment of the role of the United Nations in cooperation with the Organization of the Islamic Conference (OIC) in facilitating the peace process; and full support to and cooperation with the Special Mission. The Mission should also continue to develop ideas on the elements of a political process which could be floated during consultations with the Afghan parties.

40. Shortly thereafter, however, the Taliban took Kabul, creating the risk that hostilities would escalate. I accordingly instructed the Special Mission to concentrate on an immediate cessation of hostilities. Strenuous efforts were also to be made to establish a working relationship with the Taliban authorities in Kabul, in order to ensure that the United Nations maintained an open channel for communication with and between all the parties and to address certain humanitarian issues which had assumed greater prominence since the Taliban capture of Kabul. It was to impress on all the Afghan leaders that Afghanistan is a member of the United Nations and therefore bound by the Charter of the Organization, including those provisions relating to the equal rights of men and women, and the various human rights instruments to which Afghanistan is a party. It was also to ensure that appropriate conditions existed for the United Nations agencies to continue to provide relief to the needy people of Afghanistan.

41. The head of the Special Mission accordingly travelled to Kandahar on 28 September for a meeting with the Taliban leadership which was represented by the Governor of Kandahar and member of the Council of the Taliban, Mullah Mohammed Hassan Rahmani, and two other members of the Council. They encouraged him to meet with the person appointed by the Taliban as Prime Minister, Mullah Mohammed Rabbani, on all issues of concern to the United Nations peace mission in particular and the United Nations in general, including the gender issues, human rights, the continuation of humanitarian assistance and the application of the general amnesty declared earlier by the Taliban leader, Amir Mohammed Omar.

42. In pursuit of the ceasefire objective, the head of the Special Mission travelled to Mazar-i-Sharif and Shebarghan on several occasions during the first half of October to meet with General Dostum and once with Mr. Rabbani and representatives of Commander Masoud. His purpose was to arrange a direct negotiation between General Dostum and the Taliban (represented by Mullah Ghaus and others) at a neutral location acceptable to both sides. Although General Dostum and Mr. Ghaus initially agreed to such a meeting and the Mission made preparations for it, this direct negotiation did not take place, apparently as a result of the escalation of the conflict between the two sides as the Taliban forces tried to push northwards from Kabul.

43. After visiting Kabul on 21 October for talks with the Taliban, the head of the Special Mission flew to Mazar-i-Sharif on 23 October to meet General Dostum and representatives of other members of the Supreme Council for the Defence of Afghanistan. The Pakistani Minister of the Interior was in the city at the same time. The head of the Mission was invited to participate in the discussion of a draft ceasefire accord which the Pakistani Minister had been negotiating with the Taliban leadership and which he believed they would sign if it was accepted by General Dostum and his allies. The meeting accepted a number of amendments

proposed by the head of the Mission. However, the Pakistani initiative faltered at the last moment when members of the Supreme Council insisted that the agreement should also cover the demilitarization of Kabul.

44. Following this setback, the head of the Special Mission continued to shuttle between the Taliban and the Supreme Council in order to persuade them to meet under United Nations auspices to resume the negotiation of a ceasefire. These efforts led to a meeting in his office in Islamabad on 7 November at which the two sides were represented by Mullah Ghaus, acting Foreign Minister of the Taliban, and General Painda Muhammad, General Dostum's representative in Islamabad. No specific agreements were reached on this occasion but the two sides agreed to continue talks on a ceasefire.

## IV. MEETING OF REGIONAL STATES AND OTHER STATES WITH INFLUENCE IN AFGHANISTAN

45. Pursuant to paragraphs 3 and 4 of General Assembly resolution 50/88 B, as well as paragraph 7 of Security Council resolution 1076 (1996), I invited a group of 19 regional and other interested Member States, together with OIC, to a meeting of consultation in New York on 18 November 1996. The purposes of the one-day meeting were twofold: to brief the participants on the current United Nations efforts in Afghanistan in the political, humanitarian and developmental fields; and to discuss with them what more they could do to support those efforts, with special reference to the conclusion of a ceasefire and the initiation of a political process leading to a negotiated settlement of the conflict. The Member States invited, all of whom accepted the invitation, were China, Egypt, France, Germany, India, the Islamic Republic of Iran, Italy, Japan, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Saudi Arabia, Tajikistan, Turkey, Turkmenistan, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uzbekistan. I informed the Presidents of the General Assembly and the Security Council of the results of the meeting by letters dated 20 November (A/51/689 and S/1996/966, respectively).

46. All participants agreed that the present situation could not be allowed to continue. It was intolerable in terms of the suffering it imposed on the Afghan people. It was also intolerable in the threats that it presented to the region and the world: threats of regional destabilization, drugs, terrorism and illegal arms flows.

47. The participants also reaffirmed the principles enshrined in General Assembly resolution 50/88 B, namely respect for Afghanistan's sovereignty, independence and territorial integrity; the need for the Afghan parties to negotiate a political settlement that would will respect the rights of all groups, including their human rights; and an end to foreign interference, especially through the supply of arms. And they reaffirmed support for the kind of peace process outlined in resolution 50/88 B.

48. All the participants confirmed that the United Nations had a central role to play in helping the Afghan parties define and implement a peace process, in

close consultation with OIC, whose efforts should be complementary to those of the United Nations. They were unanimous in their appreciation of the efforts of the Special Mission under the leadership of Mr. Holl, especially his current efforts to bring about a ceasefire in and around Kabul, and pledged their continued support for those efforts. I was particularly encouraged that they responded positively to my call for close coordination between their own mediating efforts and those of the United Nations.

49. The participants responded positively on a number of other key issues. They indicated that they would use their influence with the various factions to persuade them to give up the military option and join in the common search for a negotiated peace. They gave a positive response to my request that countries with influence in Afghanistan should be ready, individually or collectively, to help the United Nations efforts when the United Nations so requested. Most expressed the view that it would be useful for the countries at the meeting to continue to meet informally from time to time and at various levels. There was also widespread support for the idea that in due course an international conference should be convened to support negotiations and endorse their results. A number of delegations offered to host such a conference and/or earlier direct negotiations between the Afghan parties.

50. The delegations also showed a keen interest in collective action to curb or halt the flow of arms and ammunition into Afghanistan. Some suggested that the Wassenaar regime for the point of origin control of conventional weapons transfers could be useful in this context. Others favoured a formal arms embargo by the Security Council.

51. The delegations were unanimous in their desire to alleviate the suffering which the Afghan conflict imposed on the ordinary people of that country. A number of them also shared my view that the promise of a major international effort to reconstruct Afghanistan when peace was restored could itself be an important incentive to the faction leaders to negotiate a peace settlement.

## V. OBSERVATIONS AND RECOMMENDATIONS

52. I am heartened by the fact that the international community seems prepared to re-focus its attention on the situation in Afghanistan. I believe that the meeting which took place at my invitation on 18 November was a useful first gathering of a group of countries which are particularly well placed to support the efforts of the Secretary-General to carry out the mandates entrusted to him by the General Assembly and the Security Council. It is my intention to convene further informal meetings of the group from time to time at various levels.

53. The lead role in the United Nations efforts to help bring peace to Afghanistan lies with the Special Mission to Afghanistan. The Mission will continue to explore how it can most effectively assist the Afghan parties to negotiate a broad-based settlement. To that end it will maintain contact with all the parties involved in the conflict and will observe strict neutrality and impartiality in its work, impressing on the faction leaders that their genuine cooperation with the Mission is vital to the success of any peace plan. The

immediate focus of its efforts is the negotiation of a ceasefire, to be accompanied or followed by the demilitarization of Kabul and the establishment of a neutral force to police the city while political dialogue continues, with the assistance of the Mission if the parties so wish, on the creation of a fully representative and broad-based mechanism for national reconciliation.

54. I have already taken the necessary steps to strengthen the Mission by appointing the four additional political affairs officers authorized in General Assembly resolution 50/88 B. In addition, I propose to increase its military advisers from the current two to five, so as to enhance its capability to understand the fast-changing military situation and to facilitate the parties' discussion of options for the demilitarization of Kabul and other such measures. I also propose to assign two civilian police advisers to the Mission in connection with current discussions between the Afghan parties about the establishment of a neutral force to police a demilitarized Kabul.

55. In cooperation with the United Nations agencies and programmes operating in Afghanistan, the Special Mission will continue to raise with the relevant authorities issues of equal treatment, the observance of human rights, and the unhindered provision of humanitarian assistance to the needy. The Mission will also insist on strict respect for the privileges and immunities of United Nations staff and premises.

56. The suffering of the Afghan civilian population, who continue to bear the main brunt of the civil war, and the dangers that that war creates for regional stability, oblige the international community to intensify its search for a peaceful solution, despite the fact that certain Afghan parties seem to continue to favour the military option. It is fortunate, however, that the great majority of Afghans want the United Nations to play a central role in the search for a solution. I therefore seek the General Assembly's endorsement of the approach set out in this report and in particular of the proposed additions to the strength of the Special Mission.

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